

C.I. - ~~Survey~~ Thursday, June 12, 1941.

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President Roosevelt today did a complete job in making appointments to the Supreme Court. There were two vacancies on the highest tribunal, and one of these was the top-ranking post of Chief Justice. It amounted to three appointments for the President named one Associate Justice to become Chief Justice, elevating him. And he filled the two vacancies, appointing two new Justices.

There was only one element of surprise. Harlan Fiske Stone becomes the top-ranking judicial figure of this land. The commonest expectation had been that Attorney General Robert H. Jackson would be named Chief Justice. The element of surprise, however, is mild. Mr. Justice Stone has long been distinguished for his sympathy with the administration policy - though he is a Republican, and was nominated by President Coolidge, ^{which} ~~that~~ might have seemed to mark him as necessarily an opponent of the New Deal. - but no. It is true that he voted to abolish the N.R.A. - The Supreme Court vote against that early New Deal

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institution was unanimous. But Justice Stone voted against the similar thumbs down on the A.A.A. He was a minority of one, and wrote a sharp dissenting opinion. The New Hampshire jurist is sixty-eight years old, ^{as he takes} ~~and take~~ the place of the retiring Chief Justice, Charles Evans Hughes.

Attorney General Jackson, who was expected to become Chief Justice, is not left out in the cold - not by any means. He gets the next best thing, ^{He} is appointed Associate Justice to succeed Justice McReynolds who retired some while ago. His post ~~was~~ as Attorney General remains unfilled. The President today did not appoint a successor, - ~~That's~~ to come later. But the belief in Washington is that Solicitor-General Francis Biddle would get the important job of Attorney-General.

The other Supreme Court appointment today was that of Senator Byrnes of South Carolina. He gets the Associate membership left vacant by the elevation of ~~Associate~~ Justice Stone to ^{Chief Justice.} ~~the highest position.~~ Senator Byrnes has long been prominent in Congress - a key man of the administration. He has been mostly a worker behind White House bills.

Today's appointments were greeted by prompt action in the Senate - in one case, anyway. The lawmakers instantly confirmed one nomination - unanimously. The normal process is to refer ~~an~~ an appointment to a committee, but that's usually dispensed with when a Senator ~~is~~ is named. His colleagues indulge in what is called "Senatorial courtesy" - confirmation then and there. So it was with the elevation of Senator Byrnes today. His ~~his~~ close friend, Carter Glass ^{of} Virginia, moved for confirmation. His political opponent, Republican Leader Senator McNarry, jumped up and seconded the motion with what he called - "great pleasure". Nobody voted "nay", and it was unanimous. The other appointments went the way of all flesh, went to the committee for consideration. ~~That's only a~~

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~~formality,~~ ^{But} and they ^{are} ~~are~~ expected to be confirmed by the Senate without ^{any hitch.} ~~any difficulty.~~

~~With these appointments,~~ ^{now} President Roosevelt has named more Supreme Court Justices than any President since George Washington. The father of his ~~some~~ country, ^{having} ~~of course~~ appointed the entire membership of the first court, and several other members later on -- eleven altogether. President Roosevelt now

has appointed seven. It is interesting to review their names - Senator Black of Alabama, Solicitor-General Reed, Harvard Professor Felix Frankfurter, S.E.C. Chairman Douglas, former Attorney General Frank Murphy. Now - Attorney General Jackson and Senator Byrnes of South Carolina.

Seven in all - which gives the Supreme Court a solid New Deal majority, ~~for a number of years to come, no doubt.~~ Altogether, it's an ironical commentary on that famous Supreme Court fight of four years ago, when President Roosevelt tried to alter the complexion of an antagonistic Supreme Court, *he tried* ~~he tried~~ it in Congress, and was defeated - only to have subsequent events enable him to appoint almost a new Supreme Court, changing it completely.

LABOR

The Senate today voted to give the President the power to take over plants in defense industries, when these are closed or threatened by strikes. Of course the North American Aviation factory at Inglewood, California, was seized by the Army at the President's order, but, today's action would make the White House authority more clear and definite. The power is conveyed in the form of an amendment to the selective Service Act. And it's the first bit of definite Congressional action to cope with the labor situation. The Amendment now goes to the Senate.

STEAMSHIP

What has Berlin to say about the sinking of the Robin Moor? It is ~~mx~~ now very much up to the Nazi government - Hitler's move next. So today in Berlin, American newspapermen shot prompt inquiries, asking Nazi officials - what about it? What have you to say to the official disclosure in Washington that the American steamship was torpedoed and sunk by a German U-Boat?

Today, after a period of guarded caution and careful inquiry, the State Department in Washington ~~xxxx~~ makes public a report just received from United States Consul Linthicum. In Brazil the Consul questioned the survivors of S.S. Robin Moor. What had caused the sinking of their ship? The official report which he now cables to Washington is summarized by the State Department. The summary uses these words:- "The Robin Moor was undoubtedly ~~six~~ sunk by a German submarine on the morning of May twenty-first. *and* The commander of the submarine was fully aware that the vessel was American."

The State Department further adds that the Robin Moor was not in any combat zone, not in any war area. It was

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sunk in the South Atlantic, Northeast of Brazil. The ship carried no contraband of war. Its cargo was miscellaneous - all the way from Women's clothing to automobiles and steel rails. In other words - the Robin Moor was altogether within the limits of legal neutrality, This was stated officially today by Acting Secretary of State Sumner Welles.

Several pertinent questions still remain to be answered. Were the passengers and crew of the ship allowed to take refuge in lifeboats before the torpedoing? Or was the Robin Moor blasted without warning? There appears to be every evidence of a dread human tragedy. Only eleven survivors were picked up out of forty six, aboard the ship. And today's story tells us there is no trace of the others.

At the White House, it was indicated what the attitude of the United States government will be - Nazi Germany must accept full responsibility for the sinking of an American ship. This is the view held by President Roosevelt. White House Secretary Steve Early spoke to newspapermen today as follows:-

"You will remember the other day you were requested that judgment on the sinking be withheld," said he, and added: "the request then made to you is now withdrawn. There seems to be no longer any reason to reserve ~~judgment~~ judgement."

No doubt, official American representations are being made to the German government. So the spotlight is now on Berlin. Today the spokesmen of the Nazi government made feference to the possibility of the ship having been sunk in accordance with international law. "It can be stated with certainty," said a Nazi spokesman, "that, if by any chance a German U-boat or other German warship is involved, the commander acted according to International Law."

SYRIA

From Syria we have reports contradictory in tone -- but they can be harmonized fairly well. The official French military bulletin declares that the British and Free French columns were kept in check today, ~~for the most part.~~ The communique ~~uses~~ uses these words: "Held up along the ~~the~~ front as a whole". However, it does admit that the opposition made some advances - the British fleet shelling French positions along the coast, while land troops pushed along.

From the British side, it is stated that the Anglo-Free French troops are making important progress. They now are said to be beyond the ancient Phoenician City of Sidon so famous in the Bible. The British ~~version~~ version is that both Beirut and Damascus are likely to fall before long. The French are resisting ^{fiercely,} ~~fiercely,~~ says London, and interprets this as a grudge fight on the part of General Dentz, the French ~~Commander~~. The grudge appears to be principally against the Free French forces, and we hear that the British plan is to allow these troops to have the honor of entering Damascus -- when it is captured.

PEACE

The foreign news today had a good deal on the subject of peace - hints and indications of an attempt to end the war.

^{TP} Many things are being taken as a sign of a Hitler peace offensive.

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First of all, We have word of heavy mobilizations of German troops on the frontier of Soviet Russia. These have been rumored for some time, and London today confirms them -- the Nazis massing against the Soviets. From Turkey comes an interpretation -- the Germans are turning their attention to the Eastern Mediterranean, toward Russia. This accords with other suppositions during the past few days - rumors that Nazi chiefs have their eye on the Ukraine and are planning a move toward that Great Russian granary.

London, however, is taking that kind of opinion with a good deal of doubt. British sources today were frankly puzzled by apparent German military moves pointing East. The massing of troops is a fact -- ~~the~~ but, the British can't figure out what it ^{all} means. Perhaps the Nazis are taking

a threatening attitude to get concessions from the Soviets, or it may be just a bit of peace offensive show business -- a Nazi gesture to give the impression that Hitler would like to attack Stalin. This - as a sort of round-a-bout peace argument. The Nazis appearing to say - let's make peace so that Germany can polish off the Reds. Thinking that might be some inducement to Great Britain.

And then - European observers have been looking with considerable interest at the air raid situation. It has been noted that from the time of the strange arrival of Rudolf Hess in Scotland that bombings have proceeded to lag. The Nazi Deputy Fuehrer descended out of the sky on the same night that London suffered one of the most ferocious of air attacks. And it was -- the last serious bombing that London has had to date. True, the weather since then hasn't been so favorable. But right now it is again the time time of full moon in Europe, the bright moonlight so favorable for bombing. When we might expect a fierce new climax of air raiding.

But what do we find? Are the Nazis blasting at Britain again? Not at all. The British are attacking, -- The R.A.F. *conducting heavy* ~~in~~ bombing raids against Germany. Today the London Air Ministry reported that last night high explosives caused violent damage to various German cities -- *mainly* ~~at~~ Dusseldorf, *and* Cologne. ~~It was~~ One of the heaviest of British raids. The R.A.F. ~~was~~ taking full advantage of the fullness of the moon.

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Did the German Air Corps avail itself of the brilliant night? Yes, but in a ~~very~~ different way. Nazi war ~~p~~lanes flew over Britain, ~~but~~ ^{ing} ~~dropped~~ leaflets. Printed arguments instead of bombs. They misquoted President Roosevelt about the heavy rate of sinkings in the ~~North~~ North Atlantic -- and warned London that the British food supply would soon be cut off. That and other reasonings of a ~~similar~~ similar sort. Peace arguments instead of bombs -- that does sound significant.

The striking fact still remains -- that there has been no savage German air raid on ~~Britain~~ Britain ever since the mysterious visit of Hess, and that visit was the subject of some illuminating remarks today -- by an important British

personality, Sir Patrick Dollan, Lord Provost of Glasgow, *who*
~~he~~ stated that the Nazi Deputy Fuehrer had ~~f~~ definitely come
on a peace mission.

"I am in a position to tell the truth," said the
Lord Provost. "Hess came here as an unrepentant Nazi. He
came in the belief that he could remain in Scotland two days,
discuss his peace proposals with ~~t~~ a certain group, and be
given a supply of petrol and maps to enable him to return
to Germany." The Lord Provost made the following interesting
addition: "Hess", said he, "is quite annoyed over being kept
prisoner."

These various bits of news summarize tonight's
indications of a Nazi peace offensive. The signs are so clear
that today London gave answer -- formal and dramatic answer.

At least -- we are told that such is the reason for a

declaration made by the British empire and its allies. ~~That~~ *they*

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have
adopted and signed a pledge to fight together in the common
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cause -- until Hitlerism is banished from Europe.

The delegates met at St. James' Palace -- delegates of Great Britain and its dominions, and nine Allied governments -- conquered countries. Prime Minister Churchill expressed the sense of the gathering in the following words. Speaking of Britain and her associates he said: "They have drawn their swords in this cause -- they will never let them fall until life is gone or victory is won;"

And now I wonder what solemn pronouncement we are going to hear from Milton Cross?